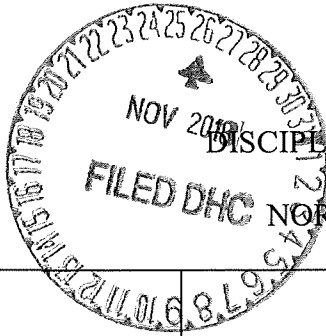


NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
18 DHC 48

IN RE: STEVEN P. MACGILVRAY

CONSENT ORDER
OF INTERIM SUSPENSION

THIS MATTER came on for consideration before the undersigned Chair of the Disciplinary Hearing Commission upon the State Bar's Motion for Order of Interim Suspension filed November 20, 2018 pursuant to 27 N.C. Admin. Code 1B.0119(b). Movant, the North Carolina State Bar, is represented by Mary D. Winstead and Steven P. MacGilvray is represented by Alan M. Schneider. Based upon a review of the motion and with the consent of the parties, the undersigned makes the following:

FINDINGS OF FACT

1. Steven P. MacGilvray ("MacGilvray") was licensed to practice law in North Carolina in 2013.
2. MacGilvray's address of record with the North Carolina State Bar is 5240 Trinity Village Lane, Apt. 105, Raleigh, NC 27607.
3. On February 12, 2018, a warrant for MacGilvray's arrest was issued alleging that on February 12, 2018, he "unlawfully, willfully and feloniously did steal, take and carry away \$1600.00 IN CASH, the personal property of ROBERT MCKENLY JEFFREYS, such property having a value of \$1600.00" in violation of N. C. Gen. Stat. § 14-72(a). The Wake County file number is 18CR 202805.
4. On October 26, 2018, in Wake County District Court, MacGilvray pled guilty in 18CR 202805 to misdemeanor larceny in violation of N. C. Gen. Stat. § 14-72(a). The court entered judgment and ordered that MacGilvray be sentenced to 45 days in the custody of the sheriff. The sentence was suspended and MacGilvray was placed on unsupervised probation for 18 months.
5. On November 20, 2018, the State Bar filed with the Clerk of the Disciplinary Hearing Commission ("DHC") a Motion for Order of Interim Suspension of MacGilvray's law license alleging that larceny is an offense showing professional unfitness and that the guilty plea to and conviction of that offense as well as the circumstances of the offense warrant interim suspension.
6. The North Carolina State Bar is pursuing disciplinary action against MacGilvray.

7. MacGilvray voluntarily consents to the entry of this Order.

Based upon the foregoing Findings of Fact the undersigned makes the following:

CONCLUSIONS OF LAW


1. The crime to which MacGilvray pled guilty and was convicted of is a criminal offense showing professional unfitness as defined in 27 N.C. Admin. Code 1B.0103 (17).
2. 27 N.C. Admin. Code 1B.0119(b) provides that the Chair of the Disciplinary Hearing Commission may enter an order suspending a member from practicing law pending disposition of disciplinary proceedings before the Disciplinary Hearing Commission based on the conviction of or plea to, a crime showing professional unfitness.
3. An order suspending MacGilvray's law license on an interim basis is warranted.
4. MacGilvray shall comply with 27 N.C. Admin. Code 1B.0128.

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned Chair of the Disciplinary Hearing Commission enters the following

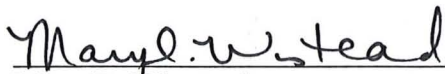
ORDER

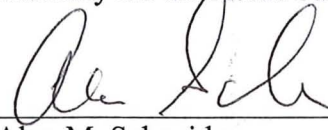
Steven P. MacGilvray's license to practice law in North Carolina is hereby ordered **SUSPENDED** until the conclusion of all disciplinary proceedings before the North Carolina State Bar relating to MacGilvray's guilty plea to and conviction of larceny.


This the 26th day of November, 2018.


Fred M. Morelock, Chair
Disciplinary Hearing Commission

Consented to:


Mary D. Winstead
Attorney for the North Carolina State Bar


Alan M. Schneider,
Attorney for Steven P. MacGilvray


Steven P. MacGilvray